

S.D.N.Y. – W.P.  
17-cv-2631  
Briccetti, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 11<sup>th</sup> day of August, two thousand twenty.

Present:

Joseph F. Bianco,  
Michael H. Park,  
Steven J. Menashi,  
*Circuit Judges.*

USDC SDNY  
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James Snowden,

*Plaintiff-Appellee,*

v.

20-735

Douglas Solomon, et al.,

*Defendants-Appellants,*

Robert Mir,

*Defendant.*

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Appellee, through counsel, moves to dismiss this appeal for lack of jurisdiction. Upon due consideration, it is hereby ORDERED that the motion is DENIED without prejudice to renewal of the appealability argument before the merits panel. Appellants may appeal the denial of a motion for summary judgment on qualified immunity grounds provided they can support their defense on Appellee's version of the facts. *Lynch v. Ackley*, 811 F.3d 569, 576 (2d Cir. 2016) (internal quotation marks omitted).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

*Catherine O'Hagan Wolfe*



*Catherine O'Hagan Wolfe*

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